IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

Bail Appl..No. 897 of 2007()

C.C.NO.52/03 OF J.F.C.M., OTTAPPALAM

PETITIONER/ACCUSED NO.3:

RASHEED, AGED 27 YEARS,
S/O. HAMZA, ONAPARAMBIL HOUSE, KANJIRAKADAVU P.O.,
OTTAPPALAM.

BY ADV. SRI.K.ANAND

RESPONDENTS: STATE & COMPLAINANT:

1. STATE OF KERALA,
REPRESENTED BY THE PULIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-31.

2. SUB INSPECTOR OF POLICE,
OTTAPPALAM POLICE STATION.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 897 OF 2007

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DATED THIS THE 14TH DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the 3rd accused in Crime No.243/02 of Ottappalam Police Station for offences punishable under sections 143, 147, 341, 327, 353 and 225B read with section 149 IPC, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner before the J.F.C.M., Ottappalam in C.C.No.152/03, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, after examining the explanation offered by the petitioner for his previous non-appearance.

This application is disposed of as above.

V.RAMKUMAR, JUDGE.

dsn